

JC03 Rec'd PCT/PTO 18 APR 2005

Docket No. 12810-00046-US
(PATENT)

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Patent Application of:
Jens Lerchl et al.

Application No.: 10/502,083

Confirmation No.: 4008

Filed: July 22, 2004

Art Unit: N/A

For: Novel Elongase Gene and Method for Producing
Polyunsaturated Fatty Acids

Examiner: Not Yet Assigned

TRANSMITTAL OF POWER OF ATTORNEY

Dear Sir:

Applicants enclose herewith the executed Power Of Attorney To Prosecute Applications Before the USPTO with change of correspondence address and Statement Under 37 CFR § 3.73(b) in the above-referenced application. Because a Notice of Recordation has not yet been received, the Reel and Frame number have not been completed in the Statement Under 37 CFR § 3.73(b). However, a copy of the original assignment and cover sheet submitted with the filing of the National Stage of the above-referenced application on July 22, 2004 is enclosed.

Applicants believe no fee is due. However, if a fee is due, the Director is hereby authorized to charge any deficiency in the fees filed, asserted to be filed or which should have been filed herewith (or with any paper hereafter filed in this application by this firm) to our Deposit Account No. 03-2775, under Order No. 12810-00046-US, from which the undersigned is authorized to draw.

Dated: April 14, 2005

Respectfully submitted,

By 

Robert M. D. Makowski

Registration No.: 55,421

CONNOLLY BOVE LODGE & HUTZ LLP

1007 North Orange Street

P.O. Box 2207

Wilmington, Delaware 19899

(302) 658-9141

(302) 658-5614 (Fax)

Attorney for Applicants



POWER OF ATTORNEY TO PROSECUTE APPLICATIONS BEFORE THE USPTO

I hereby revoke all previous powers of attorney given in the application identified in the attached statement under 37 CFR 3.73(b).

I hereby appoint:



Practitioners associated with the Customer Number:

23416

OR



Practitioner(s) named below (if more than ten patent practitioners are to be named, then a customer number must be used):

Name	Registration Number	Name	Registration Number

as attorney(s) or agent(s) to represent the undersigned before the United States Patent and Trademark Office (USPTO) in connection with any and all patent applications assigned only to the undersigned according to the USPTO assignment records or assignment documents attached to this form in accordance with 37 CFR 3.73(b).

Please change the correspondence address for the application identified in the attached statement under 37 CFR 3.73(b) to:



The address associated with Customer Number:

23416

OR



Firm or Individual Name

Address

City

State

Zip

Country

Telephone

Fax


Assignee Name and Address:

BASF Plant Science GmbH
67056 Ludwigshafen
GERMANY

A copy of this form, together with a statement under 37 CFR 3.73(b) (Form PTO/SB/96 or equivalent) is required to be filed in each application in which this form is used. The statement under 37 CFR 3.73(b) may be completed by one of the practitioners appointed in this form if the appointed practitioner is authorized to act on behalf of the assignee, and must identify the application in which this Power of Attorney is to be filed.

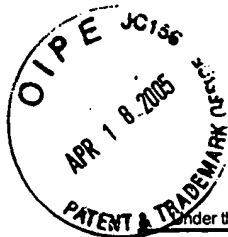
SIGNATURE of Assignee of Record

The individual whose signature and title is supplied below is authorized to act on behalf of the assignee

Signature		Date	April 12, 2005
Name	Ppa. Bieberbach i.V. Prebier		
Title			

388181

- Director - - Authorized Officer -

**STATEMENT UNDER 37 CFR 3.73(b)**Applicant/Patent Owner: Jens Lerchl et al.Application No./Patent No.: 10/502,083 Filed/Issue Date: July 22, 2004Entitled: Novel Elongase Gene and Method for Producing Polyunsaturated Fatty AcidsBASF Plant Science GmbH, a Corporation
(Name of Assignee) (Type of Assignee, e.g., corporation, partnership, university, government agency, etc.)

states that it is:

1. ☒ the assignee of the entire right, title, and interest; or
2. ☐ an assignee of less than the entire right, title and interest.
The extent (by percentage) of its ownership interest is _____ %
- in the patent application/patent identified above by virtue of either:

- A. ☒ An assignment from the inventor(s) of the patent application/patent identified above. The assignment was recorded in the United States Patent and Trademark Office at Reel _____, Frame _____, or for which a copy thereof is attached.

OR

- B. ☐ A chain of title from the inventor(s), of the patent application/patent identified above, to the current assignee as shown below:

1. From: _____ To: _____
The document was recorded in the United States Patent and Trademark Office at Reel _____, Frame _____, or for which a copy thereof is attached.
2. From: _____ To: _____
The document was recorded in the United States Patent and Trademark Office at Reel _____, Frame _____, or for which a copy thereof is attached.
3. From: _____ To: _____
The document was recorded in the United States Patent and Trademark Office at Reel _____, Frame _____, or for which a copy thereof is attached.

☐ Additional documents in the chain of title are listed on a supplemental sheet.

- ☒ Copies of assignments or other documents in the chain of title are attached.
[NOTE: A separate copy (i.e., a true copy of the original assignment document(s)) must be submitted to Assignment Division in accordance with 37 CFR Part 3, if the assignment is to be recorded in the records of the USPTO. See MPEP 302.08]

The undersigned (whose title is supplied below) is authorized to act on behalf of the assignee.

Roberte Makowski
SignatureApril 14, 2005
DateRoberte M.D. Makowski, Ph.D.
Printed or Typed Name302-658-9141
Telephone NumberAttorney - Reg. No. 55,421
Title

Form PTO-1595

(Rev. 03/01)

OMB No. 0651-0027 (exp. 5/31/2002)

RECORDATION FORM COVER SHEET

U.S. DEPARTMENT OF COMMERCE

U.S. Patent and Trademark Office

PATENTS ONLY

To the Honorable Commissioner of Patents and Trademarks: Please record the attached original documents or copy thereof

1. Name of conveying party(ies):

Jens LERCHL (01/27/2003), Ernst HEINZ (01/27/2003),
and Thorsten ZANK (01/27/2003)Additional name(s) of conveying party(ies)
attached?☐ Yes ☒ No

3. Nature of Conveyance:

☒ Assignment☐ Merger☐ Security Agreement☐ Change of Name☐ OtherExecution Date: see Box 1, conveying parties

2. Name and address of receiving party(ies)

Name: BASF Plant Science GmbH

Internal Address: _____

Street Address: _____

67056 Ludwigshafen
GERMANY

City: _____

State: _____

Zip: _____

Additional name(s) &
address(es) attached:☐ Yes ☒ No

4. Application number(s) or patent number(s):

If this document is being filed together with a new application, the execution date of the new application is: January 27, 2003

A. Patent Application No.(s): _____

B. Patent No.(s): _____

Additional numbers attached? ☐ Yes ☒ No5. Name and address of party to whom correspondence
concerning document should be mailed:Name: James Remenick
MORRISON & FOERSTER LLP

Internal Address: Atty. Dkt.: 532622007700

Street Address:

1650 Tysons Blvd, Suite 300

City:

McLean

State:

VA

Zip:

22102

6. Total number of applications and
patents involved: 1

7. Total fee (37 CFR 3.41)

\$ 40.00☐ Enclosed☒ Authorized to be charged to deposit account☐ Authorized to be charged to credit card
(Form 2038 enclosed)

8. Deposit account number:

03-1952

(Attach duplicate copy of this page if paying by deposit account)

DO NOT USE THIS SPACE

9. Statement and signature.

*To the best of my knowledge and belief, the foregoing information is true and correct and any attached copy
is a true copy of the original document.*

James Remenick - 36,902

Name of Person Signing

Signature

July 22, 2004

Date

Total number of pages including cover sheet, attachments, and documents: 3

Assignment of Application

0093000056

WHEREAS, I (WE)

Jens Lerchl, Onsjövägen 17, 26831 Svalöv, Sweden
Citizen of Germany

Ernst Heinz, Püttkampsweg 13, 22609 Hamburg, Germany
Citizen of Germany

Thorsten Zank, Lorenzengasse 13, 22303 Hamburg, Germany
Citizen of Germany

respectively, have invented certain new and useful improvements in

NOVEL ELONGASE GENE, AND PROCESS FOR THE PREPARATION OF POLYUNSATURATED FATTY ACIDS

for which an application for Letters Patent was executed on

(Application No. _____, filed _____), and

WHEREAS, *BASF Plant Science GmbH* (hereinafter referred to as "ASSIGNEE"), having a place of business at *67056 Ludwigshafen, Germany*, is desirous of acquiring the entire right, title and interest in and to said invention and in and to any Letters Patent that may be granted therefore in the United States and its territorial possessions and in any and all foreign countries;

— NOW, THEREFORE, in consideration of the sum of Five Dollars (\$5.00), the receipt whereof is hereby acknowledged, and for other good and valuable consideration, I (WE), by these presents do sell, assign and transfer unto said ASSIGNEE, the full and exclusive right to the said invention in the United States and its territorial possessions and in all foreign countries and the entire right, title and interest in and to any and all Letters Patent which may be granted therefor in the United States and its territorial possessions and in any and all foreign countries and in and to any and all divisions, reissues, continuations, substitutions and renewals thereof.

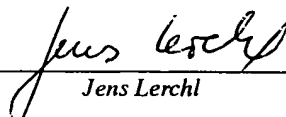
I (WE) hereby authorize and request the Patent Office Officials in the United States and its territorial possessions and any and all foreign countries to issue any and all of said Letters Patent, when granted, to said ASSIGNEE as the assignee of my (our) entire right, title and interest in and to the same, for the sole use and behoof of said ASSIGNEE, its (his) successors and assigns, to the full end of the term for which said Letters Patent may be granted, as fully and entirely as the same would have been held by me (us) had this Assignment and sale not been made.

FURTHER, I (WE) agree that I (WE) will communicate to said ASSIGNEE, or its (his) representatives any facts known to me (us) respecting said invention, and testify in any legal proceeding, sign all lawful papers, execute all divisional, continuation, substitute, renewal and reissue applications, execute all necessary assignment papers to cause any and all of said Letter Patent to be issued to said ASSIGNEE, make all rightful oaths, and, generally do everything possible to aid said ASSIGNEE, its (his) successors and assigns, to obtain and enforce proper protection for said invention in the United States and its territorial possessions and in any and all foreign countries.

The undersigned hereby grant(s) the firm of **MORRISON & FOERSTER LLP**, 1650 TYSONS BOULEVARD, SUITE 300, McLEAN, VIRGINIA 22102-3915, the power to insert on this assignment any further identification, including the application number and filing date, which may be necessary or desirable in order to comply with the rules of the United States Patent and Trademark Office for recordation of this document.

0093000056

Date: 27. Jan. 2003

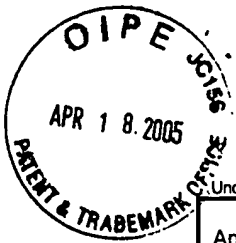
Signature of Inventor: 
Jens Lerchl

Date: 27. Jan. 2003

Signature of Inventor: 
Ernst Heinz

Date: 27. Jan. 2003

Signature of Inventor: 
Thorsten Zank



Application No. (if known): 10/502,083

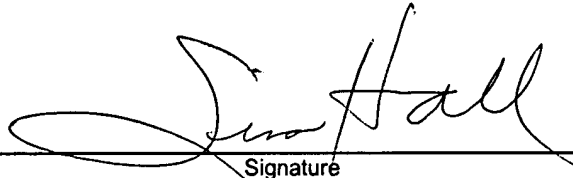
Attorney Docket No.: 12810-00046-US

Certificate of Mailing under 37 CFR 1.8

I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to:

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

on April 14, 2005
Date



Signature

Tina Hall

Typed or printed name of person signing Certificate

Registration Number, if applicable

(302) 658-9141
Telephone Number

Note: Each paper must have its own certificate of mailing, or this certificate must identify each submitted paper.

Power of Attorney (1 page)
Statement By Assignee to Establish Ownership (37 CFR 3.73(b)) (1 page)
Copy of Assignment with Recordation Form Cover Sheet (3 pages)
Transmittal - POA (2 pages)
Postcard